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10 Attorneys for Plaintiffs
HARMONI INTERNATIONAL SPICE, INC. AND
11 ZHENGZHOU HARMONI SPICE CO., LTD.

12 **UNITED STATES DISTRICT COURT**
13 **CENTRAL DISTRICT OF CALIFORNIA**
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15 HARMONI INTERNATIONAL SPICE,
INC., a California corporation, and
16 ZHENGZHOU HARMONI SPICE CO.,
LTD., a corporation,

17 Plaintiffs,

18 v.

19 WENXUAN BAI, an individual, et al.,

20 Defendants.
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Case No. 2:16-cv-00614-BRO-ASx

Hon. Beverly Reid O'Connell

**DECLARATION OF GEORGE E.
MASTORIS REGARDING
DEFENDANTS' FAILURE TO
MEET AND CONFER PURSUANT
TO LOCAL RULE 7-3**

DECLARATION OF GEORGE E. MASTORIS

I, George E. Mastoris, declare as follows:

1. I am a partner at Winston & Strawn LLP, counsel for Plaintiffs Harmoni International Spice, Inc. and Zhengzhou Harmoni Spice Co., Ltd. in the above-entitled action. I have personal knowledge of the matters set forth herein, and if called upon as a witness I could competently testify thereto.

2. I make this declaration in order to inform the Court of misrepresentations regarding the meet and confer process made by Defendants Robert T. Hume, Kwo Lee, Inc., Shuzhang Li, Huamei Consulting Co., Inc., Joey C. Montoya, Stanley Crawford, and Avrum Katz in their Motions to Dismiss Plaintiffs' First Amended Complaint (ECF Nos. 43 and 45).

3. Defendants' filings erroneously state that they were "made following the conference of counsel pursuant to Local Rule 7-3 that occurred on February 26, 2016." ECF No. 43 at 2; ECF No. 45 at 3.

4. I met and conferred with Defendants' counsel, Brodie Smith of Lanza & Smith, regarding these Defendants' proposed motion to dismiss Plaintiffs' Complaint on February 26, 2016. However, I never met and conferred with Mr. Smith or any other counsel for Defendants regarding these Defendants' proposed motion to dismiss Plaintiffs' First Amended Complaint, which was filed on March 4, 2016, nor did Defendants' counsel ever request such a meet and confer.

5. On the day that Defendants made these misrepresentations in their Motions to Dismiss, John E. Schreiber of Winston & Strawn emailed Mr. Smith, copying me, requesting that Mr. Smith immediately correct or withdraw his representation to the Court that the parties had met and conferred regarding Plaintiffs' First Amended Complaint on February 26, 2016. Defendants have, to date, failed to do so.

6. For these reasons, Plaintiffs respectfully request that the Court strike Defendants' motions for failure to comply with Local Rule 7-3.

1 I declare under the penalty of perjury that the foregoing is true and correct.
2 Dated this 23rd day of March, 2016.

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4 /s/ George E. Mastoris
George E. Mastoris
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